

Message Text

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PAGE 01 EC BRU 02905 021759Z

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-07

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TO SECSTATE WASHDC 8586

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PASS AGRICULTURE

E.O. 11652: NA

TAGS: EAGR, EEC

SUBJECT: FRENCH-ITALIAN WINE WAR -- LEGAL PROCEEDINGS MAY BEGIN

REF: EC BRUSSELS 02849

1. AT A PRESS CONFERENCE ON APRIL 2, A COMMISSION PRESS SPOKESMAN ANNOUNCED THAT LARDINOIS TELEPHONED FRENCH AGMIN BONNET ON APRIL 1 TO DETERMINE FRENCH GOVERNMENT INVOLVED IN THE EMBARGO ON ITALIAN WINE IMPORTS (REFTEL). BONNET REPORTEDLY TOLD LARDINOIS THAT THE EMBARGO IS A MEASURE BY THE COMMERCIAL TRADE WHICH, HOWEVER, IS ENDORSED BY THE FRENCH GOVERNMENT. LARDINOIS HAS THEREFORE CONCLUDED THAT THE EMBARGO IS AN OFFICIAL FRENCH GOVERNMENT ACTION INFRINGING ON THE ROME TREATY. HIS IS OF THE OPINION THAT THE ISSUE, WHICH IS CURRENTLY BEING STUDIED BY LEGAL EXPERTS IN THE COMMISSION, SHOULD BE SUBMITTED TO THE COURT OF JUSTICE.

2. IN REPLY TO AN ALLGEGATION THAT THE COURT COULD TAKE MONTHS BEFORE ISSUING AN OPINION, THE PRESS SPOKESMAN SAID THAT THERE ARE SUMMARY (PRIORITY) PROCEDURES FOR HASTENING JUDICIAL DELIBER-
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PAGE 02 EC BRU 02905 021759Z

ATION AND PRONOUNCEMENTS. HE MENTIONED THA A PRECEDENT FOR IMPLEMENTATION OF SUCH PROCEDURES WAS ESTABLISHED IN 1969 FOLLOWING

IMPOSITION OF BORDER TAXES BY GERMANY TO PREVENT A DM REVAL-
UATION FROM ADVERSELY AFFECTING GERMAN AGRICULTURAL PRICES.

3. ITALY APPARENTLY CONTINUES TO SHOW REMARKABLE RESTRAINT IN
REACTING TO THE FRENCH MEASURES. IN ADDITION TO CALLING FOR A
SPECIAL COUNCIL MEETING, ITALY HAS SO FAR ONLY NOTIFIED THE
COMMISSION THAT IT INTENDS TO SEEK RELIEF UNDER ARTICLE 170 OF
THE ROME TREATY. UNDER THAT ARTICLE, A MEMBER STATE WHICH CONSIDERS
THAT ANOTHER MEMBER HAS FAILED TO FURFILL AN OBLIGATION UNDER THE
TREATY MAY BRING THE MATTER BEFORE THE COURT FOR REDRESS. BEFORE
INITIATING THIS ACTION, THE MEMBER STATE MUST NOTIFY THE COMMISSION
OF ITS INTENTION WHICH ITALY HAS ALREADY DONE.

4. AS REPORTED IN THE REFTTEL, A SPECIAL SESSION OF THE COUNCIL
OF AGRICULTURAL MINISTERS TO DEAL WITH WINE QUESTION IS IN THE
OFFING BUT A DATE STILL HAS NOT YET BEEN FIXED. LARDINIOS PREFERS
APRIL 14 INSTEAD OF APRIL 7 AS REQUESTED BY ITALY, TO GIVE THE
COMMISSION AND MEMBER STATES MORE TIME FOR PREPARATION.
GREENWALD

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